



PTO/SB/01 (08-03)  
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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration  
Submitted With Initial  
Filing  
**OR**  
☒ Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number 10005.001510

First Named Inventor Eric McKinlay

**COMPLETE IF KNOWN**

Application Number 10/613,768

Filing Date July 3, 2003

Art Unit 1742

Examiner Name not yet known

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR INITIATING A  
SOFTWARE DOWNLOAD**

the specification of which (Title of the Invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

July 3, 2003

as United States Application Number or PCT International

Application Number 10/613,768 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY) Country	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

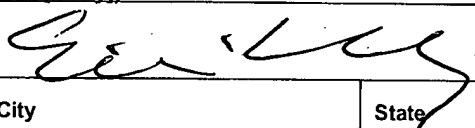
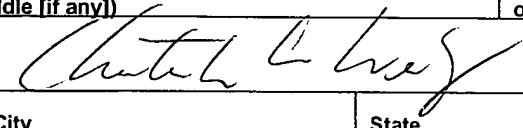
☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

This collection of information is required by 37 CFR 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number or Bar Code Label		000031894		OR <input type="checkbox"/> Correspondence address below	
Name					
Address					
City		State		ZIP	
Country		Telephone		Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])		Eric		Family Name or Surname	
				McKinlay	
Inventor's Signature				Date	
				12/3/03	
Residence: City		State		Country	
Cupertino		CA		US	
				Citizenship	
				US	
Mailing Address					
10240 Byrne Avenue					
City		State		Zip	
Cupertino		CA		95014	
				Country	
				US	
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])		Christopher William		Family Name or Surname	
				Wesley	
Inventor's Signature				Date	
				12/3/2003	
Residence: City		State		Country	
Redwood City		CA		US	
				Citizenship	
				US	
Mailing Address					
1903 Middlefield Road					
City		State		Zip	
Redwood City		CA		94063	
				Country	
				US	
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.					

**DECLARATION**
**ADDITIONAL INVENTOR(S)**  
 Supplemental Sheet

Page 1 of 1

Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
David Lawrence		Chambers	
Inventor's Signature <i>David R. Chambers</i>		Date <i>11/13/03</i>	
Residence: City	Elkins	State	NH
		Country	US
Citizenship US			
Mailing Address 10 Hilcrest Drive			
City	Elkins	State	NH
		ZIP	03233
		Country	US
Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Craig		Zeldin	
Inventor's Signature <i>Craig Zeldin</i>		Date <i>12/4/03</i>	
Residence: City	San Francisco	State	CA
		Country	US
Citizenship US			
Mailing Address 2121 26 <sup>th</sup> Street, Apt. 202			
City	San Francisco	State	CA
		Zip	94107
		Country	US
Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Mitchell T.		Weisman	
Inventor's Signature <i>Mitchell T. Weisman</i>		Date <i>12/1/03</i>	
Residence: City	San Carlos	State	CA
		Country	US
Citizenship US			
Mailing Address 436 Portofino Drive, #204			
City	San Carlos	State	CA
		Zip	94070
		Country	US

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/613,768
Filing Date	July 3, 2003
First Named Inventor	Eric McKinlay
Title	System, Method and Computer Program Product for Initiating a Software Download
Art Unit	1742
Examiner Name	not yet known
Attorney Docket Number	10005.001510

I hereby appoint:

☒ Practitioners at Customer Number

000031894

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

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Individual Name

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Address

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State

ZIP

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Telephone

Fax

I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

*Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).*

**SIGNATURE of Applicant or Assignee of Record**

Name

Eric McKinlay

Signature

Date

12/3/03

Telephone

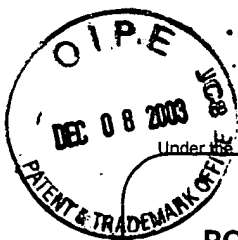
650 232-0366

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 5 forms are submitted.

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**SIGNATURE of Applicant or Assignee of Record**

Name Christopher William Wesley

Signature

Date

Telephone

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**SIGNATURE of Applicant or Assignee of Record**

Name

David Lawrence Chambers

Signature

Date

11/03/03

Telephone

(603) 526-4746

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Telephone		Fax			

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☐ Assignee of record of the entire interest. See 37 CFR 3.71.

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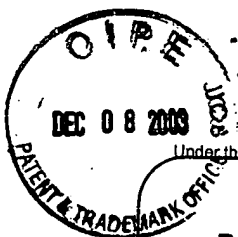
Name	Craig Zeldin		
Signature			
Date	12/4/03	Telephone	

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**SIGNATURE of Applicant or Assignee of Record**

Name

Mitchell T. Weisman

Signature

Date

12/1/03

Telephone

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